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Date: September 27, 2005	Phone Number	Fax Number
To: Board of Patent Appeals & Interferences		(571) 273-8300
From: Kevin J. Zilka		

Docket No.: BVOCPO01

App. No: 09/769,880

Total Number of Pages Being Transmitted, Including Cover Sheet: 28

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Kevin J. Zilka

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September 27, 2005

SEP 27 2005

Practitioner's Docket No. BVOC001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bertrand A. Damiba

Application No.: 09/769,880

Group No.: 2655

Filed: 01/24/2001

Examiner: McFadden, S.

For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR A DISTRIBUTED
SPEECH RECOGNITION TUNING PLATFORM

Mail Stop Appeal Briefs - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF
(PATENT APPLICATION-37 C.F.R. § 41.37)

1. Transmitted herewith is an appeal brief in this application, with respect to the Notice of Appeal filed September 26, 2005, which reinstates the appeal originally instated by the Notice of Appeal filed on April 6, 2005, and the original appeal brief filed May 13, 2005.
2. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

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37 C.F.R. § 1.8(a)

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Erica L. Farlow

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Transmittal of Appeal Brief--page 1 of 2

SEP 27 2005

3. FEE FOR FILING APPEAL BRIEF

Pursuant to 37 C.F.R. §1.17(c), the fee for filing the Appeal Brief has already been paid. However, the Commissioner is authorized to charge any fees that may be due to deposit account 50-1351 (BVOCP001).

4. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

5. TOTAL FEE DUE

The total fee due is:

Appeal brief fee	\$0.00 (previously paid on May 13, 2005)
Total Fee Due	\$0.00

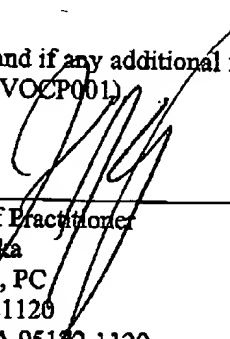
6. PAYMENT OF FEES

Applicant believes that only the above fees are due in connection with the filing of this paper because the appeal brief fee was paid with a previous omission. However, the Commissioner is authorized to charge any additional fees that may be due (e.g. for any reason including, but not limited to fee changes, etc.) to deposit account 50-1351 (Order No. BVOCP001).

7. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. BVOCP001).

Reg. No.: 41,429
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Signature of Practitioner
Kevin J. Zilka
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USA

Transmittal of Appeal Brief—page 2 of 2

**COPY**

PATENT

Practitioner's Docket No. BVOC001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bertrand A. Damiba

Application No.: 09/769,880

Group No.: 2655

Filed: 01/24/2001

Examiner: McFadden, S.

For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR A DISTRIBUTED
SPEECH RECOGNITION TUNING PLATFORM

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Date:

9/27/2005

Signature

Erica L. Farlow

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* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Transmittal of Appeal Brief--page 1 of 2

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4. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

5. TOTAL FEE DUE

The total fee due is:

Appeal brief fee	\$0.00 (previously paid on May 13, 2005)
Total Fee Due	\$0.00

6. PAYMENT OF FEES

Applicant believes that only the above fees are due in connection with the filing of this paper because the appeal brief fee was paid with a previous omission. However, the Commissioner is authorized to charge any additional fees that may be due (e.g. for any reason including, but not limited to fee changes, etc.) to deposit account 50-1351 (Order No. BVOCF001).

7. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. BVOCF001).

Reg. No.: 41,429
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USA

Transmittal of Appeal Brief—page 2 of 2

-1-

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of)
)
Bertrand A. Damiba) Group Art Unit: 2655
)
Application No. 09/769,880) Ex: McFadden, S.
)
Filed: January 24, 2001) Date: September 27, 2005
)
For: SYSTEM, METHOD AND COMPUTER)
PROGRAM PRODUCT FOR A)
DISTRIBUTED SPEECH RECOGNITION)
<u>TUNING PLATFORM</u>)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Board of Patent Appeals and Interferences**APPEAL BRIEF (37 C.F.R. § 41.37)**

Transmitted herewith is an appeal brief in this application, with respect to the Notice of Appeal filed September 26, 2005, which reinstates the appeal originally instated by the Notice of Appeal filed on April 6, 2005, and the original appeal brief filed May 13, 2005. It should be noted that the present appeal brief is further to serve as a substitute for the appeal brief mailed August 24, 2005, since such appeal brief did not follow the filing of a proper second Notice of Appeal.

The fees required under § 1.17, and any required petition for extension of time for filing this brief and fees therefor, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

-2-

This brief contains these items under the following headings, and in the order set forth below (37 C.F.R. § 41.37(c)(i)):

- I REAL PARTY IN INTEREST
- II RELATED APPEALS AND INTERFERENCES
- III STATUS OF CLAIMS
- IV STATUS OF AMENDMENTS
- V SUMMARY OF CLAIMED SUBJECT MATTER
- VI GROUNDS OF REJECTION PRESENTED FOR REVIEW
- VII ARGUMENTS
- VIII APPENDIX OF CLAIMS INVOLVED IN THE APPEAL
- IX APPENDIX LISTING ANY EVIDENCE RELIED ON BY THE APPELLANT IN THE APPEAL

The final page of this brief bears the practitioner's signature.

I REAL PARTY IN INTEREST (37 C.F.R. § 41.37(c)(1)(i))

The real party in interest in this appeal is BeVocal, Inc.

II RELATED APPEALS AND INTERFERENCES (37 C.F.R. § 41.37(c) (1)(ii))

With respect to other prior or pending appeals, interferences, or related judicial proceedings that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no other such appeals, interferences, or related judicial proceedings.

Since no such proceedings exist, no Related Proceedings Appendix is appended hereto.

III STATUS OF CLAIMS (37 C.F.R. § 41.37(c) (1)(iii))

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

Claims in the application are: 1-6, 11, 16-26

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims withdrawn from consideration: None
2. Claims pending: 1-6, 11, 16-26
3. Claims allowed: None
4. Claims rejected: 1-6, 11, 16-26

C. CLAIMS ON APPEAL

The claims on appeal are: 1-6, 11, 16-26

See additional status information in the Appendix of Claims.

IV STATUS OF AMENDMENTS (37 C.F.R. § 41.37(c)(1)(iv))

As to the status of any amendment filed subsequent to final rejection, there are no such amendments after final.

V SUMMARY OF CLAIMED SUBJECT MATTER (37 C.F.R. § 41.37(c)(1)(v))

With respect to a summary of Claims 1, 6 and 11, a technique is provided for improving speech recognition. In use, a database of utterances is maintained, and information is collected utilizing a speech recognition process, which is associated with the utterances in the database. See operations 302 and 304 of Figure 3 and the accompanying description on pages 17-18 et al. of the specification. The utterances in the database are transmitted to at least one user interface utilizing a network. Further, transcriptions of the utterances in the database are received from the at least one user interface utilizing the network. See operations 306 and 308 of Figure 3 and the accompanying description on pages 17-18 et al. of the specification. Thus, a human is capable of utilizing the information and the transcriptions to improve (e.g. tune, etc.) a speech recognition application. See operation 310 of Figure 3 and the accompanying description on pages 17-18 et al. of the specification.

VI GROUNDS OF REJECTION PRESENTED FOR REVIEW (37 C.F.R. § 41.37(c)(1)(vi))

Following, under each issue listed, is a concise statement setting forth the corresponding ground of rejection.

Issue # 1: The Examiner has rejected Claim 11 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which appellant regards as the invention.

Issue # 2: The Examiner has rejected Claims 1, 2, 4, 5, 6, 11 and 20 under 35 U.S.C. 102(b) as being anticipated by Yakazi et al. (U.S. Patent No. 5,991,719).

Issue #3: The Examiner has rejected Claims 3, 16-19 and 21-24 under 35 U.S.C. 103(a) as being unpatentable over Yakazi et al. in view of Kanevesky et al. (U.S. Patent No. 6,665,642).

Issue #4: The Examiner has rejected Claims 25 and 26 under 35 U.S.C. 103(a) as being unpatentable over Yakazi et al. in view of Beauregard et al. (U.S. Patent No. 5,974,413).

Issue #5: The Examiner has rejected Claim 11 under 35 U.S.C. 101 as being directed to non-statutory subject matter.

VII ARGUMENTS (37 C.F.R. § 41.37(c)(1)(vii))**Issue #1:**

The Examiner has rejected Claim 11 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which appellant regards as the invention.

Group #1: Claim 11

The Examiner argues that Claim 11 is confusing since it has no actual structural elements. Appellant respectfully disagrees with such assertion. Appellant asserts that logic (e.g. computer program logic, etc.) is capable of performing the functions recited on a system, as claimed by appellant.

Issue #2:

The Examiner has rejected Claims 1, 2, 4, 5, 6, 11 and 20 under 35 U.S.C. 102(b) as being anticipated by Yakazi et al. (U.S. Patent No. 5,991,719).

Group #1: Claims 1, 2, 5-6, 11, 16, 18, and 24

The Examiner relies on item 41 of Figure 1 in Yakazi to make a prior art showing of appellant's claimed "maintaining a database of utterances." After careful review of the disclosure associated with item 41, appellant notes that item 41 discloses a semantic number and a registered word. However, the registered word merely refers to a "character string to be recognized" (see Col. 8, lines 66-67). Appellant respectfully asserts that a character string, as in Yakazi, does not meet appellant's claimed "database

of utterances” (emphasis added). An utterance is clearly an audible vocal expression, while a character string is merely a string of characters, etc.

In a similar manner, the Examiner’s reliance on item 42 from Figure 1 of Yazaki to meet applicant’s claimed “collecting information associated with the utterances in the database utilizing a speech recognition process” is equally deficient. Specifically, the semantic number-registered word list changer 42 from Figure 1 of Yazaki is adapted for adding to or changing the content of the semantic number-registered word list 41. As set forth earlier, item 41 does not contain utterances, thus it is impossible for item 42 to collect information associated with utterances in a database, as claimed. There is further no use of a speech recognition process (as claimed) by item 41.

The Examiner goes on to rely on Yakazi’s disclosure of the Internet in Col. 15, lines 12-15 to make a prior art showing of appellant’s claimed “transmitting the utterances in the database to at least one user interface utilizing a network.” Appellant respectfully asserts that generally disclosing a network that “can be any kind of network such as a local area network, [or] the internet,” as in Yakazi, does not rise to the level of specificity of appellant’s claimed “transmitting the utterances in the database to at least one user interface” (emphasis added).

It is further noted that the only user interface disclosed in Yakazi is set forth at the bottom of Figure 1 and is described to only be capable of receiving speech input. Since Yakazi’s user interface is only capable of receiving speech input via a microphone or the like, it is impossible for such user interface to operate as claimed by applicant, namely to have utterances in a database transmitted thereto.

Still yet, the Examiner relies on Yakazi’s application as shown in item 50 of Figure 1 to make a prior art showing of appellant’s claimed “receiving transcriptions of the utterances in the database from the at least one user interface utilizing the network.”

Appellant notes, however, that the application merely “conveys the content of speech input of the user” (see Col. 8, lines 24-25 from Yakazi). Thus, only speech input is received by the application in Yakazi, and not transcriptions of the utterances in the database that were specifically from the user interface, as claimed by appellant. Again, Yakazi’s user interface is only capable of receiving speech input via a microphone or the like. Thus, it is impossible for the application 50 of Yakazi to receive transcriptions of the utterances in the database from the user interface, as claimed.

It is important to note that the only input from the user in Tazaki is speech that is received via a user interface, whereby such speech is converted to an associated instruction for an application, using a speech recognition process. In sharp contrast, applicant teaches and claims a user interface for receiving utterances from a database such that a user (hence, “user interface”) may transcribe the same and send transcriptions of the utterances via the user interface. Such transcriptions are, in turn, used to improve the speech recognition application *itself*. In particular, the claims require that “a human is capable of utilizing the information and the transcriptions to improve a speech recognition application.”

In fact, it is noted that the Examiner has failed to even provide any specific prior art showing of appellant’s claimed technique “wherein a human is capable of utilizing the information and the transcriptions to improve a speech recognition application.” Appellant asserts that simply nowhere in the Yakazi reference is there even a suggestion of a technique where “a human is capable of utilizing the information and the transcriptions to improve a speech recognition application,” as claimed by appellant.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown

in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the Yakazi reference, as noted above.

Group #2: Claims 4 and 20

The Examiner relies on Col. 12, lines 60-66 in Yakazi to make a prior art showing of appellant's claimed technique "wherein the speech recognition process is improved by performing experiments based on the information" (see this or similar, but not identical language in each of the foregoing claims). Specifically, the Examiner states that "language [that] can be selected or updated freely by the user" meets appellant's specific claim language.

However, appellant notes that in such excerpt only "language of the user interface can be selected or updated freely by the user" (emphasis added). Clearly, updating a language of a user interface does not meet appellant's specifically claimed technique "wherein the speech recognition process is improved by performing experiments based on the information," where such information is "associated with the utterances in the database" (see independent claims from which the foregoing claims depend).

Again, appellant asserts that each element as claimed by appellant has not been met by the Yakazi reference.

Issue #3:

The Examiner has rejected Claims 3, 16-19 and 21-24 under 35 U.S.C. 103(a) as being unpatentable over Yakazi et al. in view of Kanevesky et al. (U.S. Patent No. 6,665,642).

Group #1: Claim 3

The Examiner relies on the Abstract and Figure 1A in Kanevesky to make a prior art showing of appellant's claimed technique "wherein the transcriptions of the utterances are received from the at least one user interface using a network browser." However, merely disclosing a network browser does not rise to the level of specificity of appellant's claimed "transcriptions of the utterances [that] are received from the at least one user interface," especially since none of the references relied on by the Examiner teach receiving transcriptions of utterances from a user interface, in the manner claimed by appellant.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on appellant's disclosure. *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.1991).

Appellant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail to teach or suggest all of the claim limitations, as noted above.

Group #2: Claim 17

The Examiner relies on Kanevesky's user database to make a prior art showing of appellant's claimed technique "wherein the information includes a name of a grammar each utterance was recognized against, a name of an audio file on a disk, a directory path to the audio file, a size of the audio file, a session identifier, an index of each utterance, a dialog state, a recognition status, a recognition confidence associated with a recognition result, a recognition hypothesis, a gender of a speaker, an identification of a transcriber, and a date the utterances are transcribed" (Claim 17). Specifically, the Examiner states that Kanevesky's user database could inherently contain the items claimed by appellant.

Appellant respectfully asserts that that such user database, shown as item 417 in Figure 4 of Kanevesky, merely teaches the inclusion of an account number, user name, user contact info, user billing info, etc., all of which are associated with a user. Clearly, appellant's claimed information would not be inherent in Kanevesky's user database since such database only contains information associated with a user, and not information in the context claimed by appellant, namely information associated with utterances (see independent Claim 1 for context).

Again, appellant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail to teach or suggest all of the claim limitations, as noted above.

Group #3: Claim 19

The Examiner relies on Kanevesky's user database to make a prior art showing of appellant's claimed technique "wherein the utterances and the information are stored in the database, and the database queried for results includes a number of the utterances, a percentage of rejected utterances for a grammar, an average length of each utterance, a call volume in a predetermined range, a popularity of a grammar state, and a

transcription management parameter” (Claim 19). Specifically, the Examiner states that Kanevesky’s user database could inherently contain the items claimed by appellant.

Appellant respectfully asserts that that such user database, shown as item 417 in Figure 4 of Kanevesky, merely teaches the inclusion of an account number, user name, user contact info, user billing info, etc., all of which are associated with a user. Clearly, appellant’s specific claim language would not be inherent in Kanevesky’s user database since such database only contains information associated with a user, and not information and utterances in the context claimed by appellant.

Again, appellant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail to teach or suggest all of the claim limitations, as noted above.

Group #4: Claims 21 and 22

The Examiner relies on Kanevesky’s disclosure of web pages with links that can be in the form of icons (Col. 2, line 5) to make a prior art showing of appellant’s claimed technique “wherein the at least one user interface includes a first icon for emitting a present utterance upon the selection thereof” (Claim 21). Appellant notes, however, that the icons disclosed in Kanevesky merely relate to links on a web page that allow a user to download another web page or resource, and not to icons that “[emit] a present utterance upon the selection thereof,” as specifically claimed by appellant.

Again, appellant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail to teach or suggest all of the claim limitations, as noted above.

Group #5: Claim 23

The Examiner relies on Kavenesky's disclosure of "boxes that indicating that the user needs to enter alphanumeric text" (Col. 11, lines 55-60) to make a prior art showing of appellant's claimed technique "wherein the at least one user interface includes a string field for allowing a user to enter a string corresponding to each utterance" (Claim 23). Appellant respectfully asserts that boxes for entering alphanumeric text, as in Kavenesky, does not meet appellant's claimed "string field for allowing a user to enter a string corresponding to each utterance" (emphasis added).

Again, appellant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail to teach or suggest all of the claim limitations, as noted above.

Issue #4:

The Examiner has rejected Claims 25 and 26 under 35 U.S.C. 103(a) as being unpatentable over Yakazi et al. in view of Beauregard et al. (U.S. Patent No. 5,974,413).

Group #1: Claims 25 and 26

The Examiner relies on Beauregard's teaching of hints (Col. 29-Col. 30) to make a prior art showing of appellant's claimed technique "wherein the at least one user interface includes a hint menu for allowing a user to choose from a plurality of strings identified by the speech recognition process" (Claim 25). Appellant notes, however, that such hints in Beauregard merely relate to hints such as messages to a user that typing a letter will result in the automatic replacement of the letter with a specific word (see Col. 29, lines 39-42). Clearly, the hints as in Beauregard do not even suggest "a hint menu for

allowing a user to choose from a plurality of strings identified by the speech recognition process" (emphasis added).

Again, appellant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail to teach or suggest all of the claim limitations, as noted above.

Issue #5:

The Examiner has rejected Claim 11 under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Group #1: Claim 11

Appellant respectfully disagrees with such rejection. Appellant asserts that the claim language is not drawn to a computer program, but is drawn to a system, as claimed.

In view of the remarks set forth hereinabove, all of the independent claims are deemed allowable, along with any claims depending therefrom.

VIII APPENDIX OF CLAIMS (37 C.F.R. § 41.37(c)(1)(viii))

The text of the claims involved in the appeal (along with associated status information) is set forth below:

1. (Previously Amended) A method for improving a speech recognition process, comprising:
maintaining a database of utterances;
collecting information associated with the utterances in the database utilizing a speech recognition process;
transmitting the utterances in the database to at least one user interface utilizing a network;
receiving transcriptions of the utterances in the database from the at least one user interface utilizing the network;
wherein a human is capable of utilizing the information and the transcriptions to improve a speech recognition application.
2. (Original) The method as recited in claim 1, wherein the network includes the Internet.
3. (Previously Amended) The method as recited in claim 2, wherein the transcriptions of the utterances are received from the at least one user interface using a network browser.
4. (Previously Amended) The method as recited in claim 1, wherein the speech recognition process is improved by performing experiments based on the information.

5. (Original) The method as recited in claim 4, wherein the information includes a recognition result.
6. (Previously Amended) A computer program product embodied on a computer readable medium for improving a speech recognition process, comprising:
- (a) computer code for maintaining a database of utterances;
 - (b) computer code for collecting information associated with the utterances in the database utilizing a speech recognition process;
 - (c) computer code for transmitting the utterances in the database to at least one user interface utilizing a network; and
 - (d) computer code for receiving transcriptions of the utterances in the database from the at least one user interface utilizing the network;
 - (e) wherein a human is capable of utilizing the information and the transcriptions to improve a speech recognition application.

7. – 10. (Cancelled)

11. (Previously Amended) A system for improving a speech recognition process, comprising:
- (a) logic for maintaining a database of utterances;
 - (b) logic for collecting information associated with the utterances in the database utilizing a speech recognition process;
 - (c) logic for transmitting the utterances in the database to at least one user interface utilizing a network;
 - (d) logic for receiving transcriptions of the utterances in the database from the at least one user interface utilizing the network;
 - (e) wherein a human is capable of utilizing the information and the transcriptions to improve a speech recognition application.

12. - 15. (Cancelled)

16. (Previously Presented) The method as recited in claim 1, wherein the information is selected from the group consisting of a name of a grammar each utterance was recognized against, a name of an audio file on a disk, a directory path to the audio file, a size of the audio file, a session identifier, an index of each utterance, a dialog state, a recognition status, a recognition confidence associated with a recognition result, a recognition hypothesis, a gender of a speaker, an identification of a transcriber, and a date the utterances are transcribed.

17. (Previously Presented) The method as recited in claim 1, wherein the information includes a name of a grammar each utterance was recognized against, a name of an audio file on a disk, a directory path to the audio file, a size of the audio file, a session identifier, an index of each utterance, a dialog state, a recognition status, a recognition confidence associated with a recognition result, a recognition hypothesis, a gender of a speaker, an identification of a transcriber, and a date the utterances are transcribed.

18. (Previously Presented) The method as recited in claim 1, wherein the utterances and the information are stored in the database, and the database is capable of being queried for results selected from the group consisting of a number of the utterances, a percentage of rejected utterances for a grammar, an average length of each utterance, a call volume in a predetermined range, a popularity of a grammar state, and a transcription management parameter.

19. (Previously Presented) The method as recited in claim 1, wherein the utterances and the information are stored in the database, and the database queried for results includes a number of the utterances, a percentage of rejected utterances for a grammar, an average length of each utterance, a call volume in a predetermined range, a popularity of a grammar state, and a transcription management parameter.

20. (Previously Presented) The method as recited in claim 1, wherein the speech recognition application is improved by performing experiments based on the information.
21. (Previously Presented) The method as recited in claim 1, wherein the at least one user interface includes a first icon for emitting a present utterance upon the selection thereof.
22. (Previously Presented) The method as recited in claim 21, wherein the at least one user interface includes additional icons for emitting previous and next utterances upon the selection thereof.
23. (Previously Presented) The method as recited in claim 1, wherein the at least one user interface includes a string field for allowing a user to enter a string corresponding to each utterance.
24. (Previously Presented) The method as recited in claim 1, wherein the at least one user interface includes a comment field for allowing a user to enter comments regarding a plurality of transcriptions.
25. (Previously Presented) The method as recited in claim 1, wherein the at least one user interface includes a hint menu for allowing a user to choose from a plurality of strings identified by the speech recognition process.
26. (Previously Presented) The method as recited in claim 25, wherein the hint menu allows the user to do a manual comparison between the utterances and results of the speech recognition process.

**IX APPENDIX LISTING ANY EVIDENCE RELIED ON BY THE
APPELLANT IN THE APPEAL (37 C.F.R. § 41.37(c)(1)(ix))**

There is no such evidence.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 971-2573. For payment of any additional fees due in connection with the filing of this paper, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1351 (Order No. BVOC001).

Respectfully submitted,

By: _____

Kevin J. Zilka

Reg. No. 41,429

Date: _____

9/27/05

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